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Cruising Contractual Waters: Searching for Laffite in the Records of the New Orleans Notarial Archives

Sally K. Reeves

The pirate Jean Laffite is a well known but elusive figure about whom much has been written and much is still unresolved.¹ Laffite studies are especially dynamic today because of the appearance in 1948 of an internally credible but controversial French-language manuscript that purports to be the pirate's own journal.² Written largely in Missouri from 1845 to 1850 and recently issued in reprint, the journal

¹ Nearly sixty years ago Louisiana writer Lyle Saxon penned a biography of the subject that he considered definitive. Since then, however, at least eleven other book-length Laffite biographies or histories and numerous articles have appeared in print, all claiming the last word on the subject. Lyle Saxon, *Laffite The Pirate* (New York: The Century Company, 1930); see also Jane Lucas de Grummond, *The Baratarians and the Battle of New Orleans* (Baton Rouge, LA.: LSU Press, 1961). Jack C. Ramsay's *Jean Laffite, Prince of Pirates* (Austin, TX: Eakin Press, 1996) contains a fairly up-to-date bibliography of sources on Laffite and other pirates and privateers in books, articles, and manuscripts.

² For a history of the journal, see page 23 for the following article, "The Journal of Jean Laffite: Its History and Controversy" by Robert L. Schaadt in this issue of *Provenance*.

contradicts previously accepted evidence that both Jean Laffite and his brother Pierre died in action and were buried in the Yucatan during the 1820s. It paints them instead as living until the 1840s and dying as prosperous middle-class citizens with traceable posterity. Today the chief historiographical question about Laffite and his followers is whether the *Journal of Jean Laffite* is authentic.³

While studies of America's nineteenth-century buccaneering era and of Laffite in particular have used a variety of sources⁴ only one has drawn on the resources of the notarial system in New Orleans to widen the scope of information about the man.⁵ Laffite-related records of the Notarial Archives in New Orleans, Louisiana, should be useful in shedding new light on the privateering era as well as on the Laffite journal. The frequency of documents in the collection purportedly signed by either Jean Laffite or his brother Pierre allows for an evaluation of the documents' authenticity and

³ Since 1980 the journal has been in the collection of the Sam Houston Regional Library and Research Center in Liberty, Texas. In 1958 the manuscript's owner had it translated and published as *The Journal of Jean Laffite: The Privateer-Patriot's Own Story* (New York: Vantage Press, 1958). That translation has recently been reprinted by Dogwood Press, (Woodville, TX, 1994), contributing to ever-widening interest in "the true story" of the famous pirate. The availability of the journal text has also helped to spawn the formation of at least two Laffite research societies, The Laffite Study Group and The Laffite Society, both of which have published periodicals.

⁴ Noteworthy among them are Louisiana's early U.S. District Court cases, which reside in the Ft. Worth (Texas) Regional Office of the National Archives, and published eye-witness accounts such as Vincent Nolte's *Fifty Years in Both Hemispheres* or Arsène Lacarrière Latour's *Historical Memoir of the War of 1812*.

⁵ Stanley Clisby Arthur, *Jean Laffite, Gentleman Rover* (New Orleans: Harmanson, 1962). Even Arthur's use of the Notarial Archives was rather cursory.

of the journal's legitimacy by diplomatics, the science of "critically examining written acts for the purpose of testing their authenticity or sincerity."⁶

This article will serve to report the existence of the collection's many Laffite-related documents and will attempt through the methodology of diplomatics to test their relevance to Laffite and their presumption of accuracy. It will serve also to evaluate the Laffite journal to a small extent in light of their contents. As a preliminary, it will characterize civil law notarial records for archivists unfamiliar with them, ultimately using questions about the Laffite journal to illustrate a way to analyze their types, genesis, and form.

Civil Law Notarial Records

The Notarial Archives in New Orleans, Louisiana, where both Jean Laffite and his brother Pierre lived at various times in their lives, holds some forty million pages of private-sector legal acts compiled by local notaries over three centuries.⁷ The Louisiana notarial system, unique to America, relates closely to those of European and Latin American countries that share the state's heritage of civil law. Until 1970 the notarial system placed the notary at the heart of property and family law, and then required that he [or she] function as an archivist, preserving the original manuscripts that he drew up. Because of this background, New Orleans notaries have either created or preserved nearly every property transaction and a large part of the family transactions that have occurred in the city since its founding in 1718.

⁶ Olivier Guyotjannin, "The Expansion of Diplomatics as a Discipline," *American Archivist* 59 (winter 1996): 415.

⁷ A notary in Louisiana is a semi-public official commissioned by the governor of the state to receive authentic acts.

Most notarial acts deal with sales or mortgages of immovables in Orleans and surrounding parishes.⁸ Notaries also receive wills, marriage contracts, building contracts, powers of attorney, and private declarations. They conduct estate inventories, family meetings, and meetings of creditors. They record acts of partnership, corporate charters, maritime bonds, and marine or ship captains' protests; and before the Civil War, they documented slave sales and emancipations.

Civil law notarial records carry a presumption of authenticity owing to the notary's place in society as the draftsman, guarantor, and finally archivist of private-sector legal acts. Complete civil law notarial acts are always located, dated, witnessed, and signed with the original signatures of the contracting parties, witnesses, and notary. Those signatures furnish proof that the agreement or declaration described in the document actually occurred, to the extent of what the notary actually witnessed. Louisiana law and jurisprudence have repeatedly confirmed the principle that a properly completed, witnessed, and signed notarial act is presumed to be "authentic," that is, proof or legal evidence [in court, if need be] of its own contents.⁹

A subtle feature of the warrant of authenticity is the act's continuous maintenance in bound, indexed form and its uninterrupted public availability. Until 1970 notaries in New Orleans retained the original documents they had executed and had them bound in chronological order in an indexed volume. Louisiana law required that their archives should be available to the public in a secure office during regular

⁸ Louisiana's civil parishes are equivalent to the counties of other states. Orleans Parish is coterminous with the City of New Orleans.

⁹ Conversely, the law exacts that an act may fail for seemingly small omissions. For example in *Succ. Volmer*, 40 *Louisiana Annual Reports* 593, the Louisiana Supreme Court declared a will void for having omitted an express statement of the residency of the witnesses, although they signed it.

business hours.¹⁰ During the state's colonial and antebellum periods,¹¹ the notary bequeathed these records to a chosen successor in office when he died or retired, and that successor preserved the archives of his predecessors in addition to his own acts. After 1867 state law required that the finished works of Orleans Parish notaries be surrendered to the Notarial Archives, created by the state legislature that year to gather and make available the records of colonial and antebellum notaries. In 1970 the archives also assumed the function of collating and binding individual, newly passed acts rather than receiving the completed works of a lifetime after a notary died or retired. Notarial acts in New Orleans have thus been subject to uninterrupted public scrutiny during regular hours from the moment of their creation until this day.

If the system carries certain assurances of authenticity, individual acts may still deviate from the norm. Evaluating Laffite evidence in the notarial collection, therefore, requires an analysis of individual documents for convincing relevance to the Laffites, and their subsequent examination for the possibility of fraud or inconsistency. To address the questions of the journal's authenticity, one must compare those acts found relevant to some of the information represented in the journal, noting always that a complete comparison would require a book-length work and is beyond the scope of this article.

Laffite-related Documents

No comprehensive index to the Notarial Archives exists. At the time the Laffites were most active in the New Orleans

¹⁰ See *State ex rel. Henry L. Garland Jr., Custodian v. Chas. J. Theard*, 45 *Louisiana Annual Reports* 680.

¹¹ That is, from 1700 to 1803 and from 1803 to 1861.

area (1803–1816), however, only six major notarial *études* or offices were functioning there, thus limiting the number of volumes to be searched. Like all notarial volumes prior to 1970, each of these early volumes has an index identifying party names, act types, and the position of each act in the book. About seventy acts involving Pierre or Jean Laffite can be located using these indices, as can a number of documents involving other important privateers such as Renato Beluche. Their appearances occur most regularly in two main act types: the slave sale, and the sea captain's protest.

The *slave sale* in its time was for legal purposes an alienation or change of ownership of an immovable property. Like all notarial acts, it includes the notary's authority, gives the place and date of the transaction, identifies buyers, sellers and the consideration, and ends with a reading and the original signatures of the contracting parties, the witnesses, and the notary. Slave sales also generally supply the individual's name, age, and color or ethnicity, and may provide the place of origin or skills. Notarized sales also customarily identified the seller's acquisition of the item sold. The *acquisition*, a discreet part of a sale or mortgage, is usually a citation to an earlier act and notary.¹² The Notarial Archives is replete with slave-related records, some fifty thousand or so transactions up to the 1860s, a challenging if dubious distinction.

If the Laffites' notarized slave sales were an outgrowth of their salient plundering and slave smuggling activities, many *sea captains' protests* of the period arose from similar activities. The marine protest, discussed at greater length later, is a first-person declaration before a notary by the

¹² The acquisition could be by act under private signature, which the French called the *sous seing privée*. Louisiana Civil Code Article 2442 also required that actual delivery be made in a sale of an immovable to have effect against third parties, yielding a clause in most slave sales that the individual was already in the possession of the buyer at the time of the act.

master of a vessel in the port he reached following trouble on the waters. Orleans protests of the early nineteenth century were usually weather-related, but some resulted from privateering activities in the Atlantic and Gulf of Mexico, or from the federal government's attempts on behalf of maritime commerce to suppress privateering. Both sides of the exchange ultimately yielded documentation that found its way to the notary's office in New Orleans.

Most of the Laffite slave sales are signed by Pierre Laffite, Jean's younger brother. Pierre evidently conducted business in New Orleans while Jean remained in partial seclusion south of the city. In addition to selling slaves in a predictable pattern, the Laffites took part in a small variety of other acts such as obligations, procurations or powers of attorney, and an occasional declaration.¹³ They rarely needed to borrow money (a common activity in the society at large), but did so once in 1803, and another time in November 1812, right after a well-known incident in which the brothers were arrested, confined in the Cabildo, and released on bail only to skip New Orleans. In two other cases, Pierre appointed powers of attorney to represent him in making various claims out of the city.¹⁴

The archives also holds a curious document dated 21 April 1806 and signed "Pierre Laffite." In this act the notary stated that Laffite, whom he described as a native of Pouillac in France and a resident of New Orleans, had appeared before him to make a statement at the request of another man, Pierre Galletin. According to the appearer, someone named Mr. Gabauriau, who was a native of Gornac Sur Garone en Revange in France, had been massacred in the revolt that

¹³ P. Pedesclaux, N.P., 20 July 1803; N. Broutin, N.P., 30 November 1812, New Orleans Notarial Archives (hereafter cited as NONA).

¹⁴ P. Pedesclaux, N.P., 21 May 1806; J. Lynd, N.P., 18 July 1815, NONA.

took place at Cap Français, Isle St. Domingue, on Place St. Pierre. This occurred in his presence, he said, and in the presence of Mr. Bernard Narieu, who in 1806 was in France. The statement was made "for what it was worth and to whom it may concern."¹⁵

This odd document is puzzling and contradicts the Laffite journal claim that the Laffites were born on the island of St. Domingue. On the other hand, Pierre's declaration may have been part of a scheme to establish French citizenship. If so, it would be consistent with a Laffite journal entry of the same period in which Jean Laffite claims that he had once given "Bordeaux, 1780" as his birthplace and date to the French consul in New Orleans in order to get three vessels authorized [for trade].¹⁶ Still, the strange declaration imputed to Pierre in 1806 remained unsigned, leaving inconclusive evidence and a suspect piece of paper that future research may explain.

In contrast, the slave sales by Pierre Laffite all contain signatures and follow a consistent pattern. The signatures are quite legible and are themselves consistent, although they evolve in format. Pierre signed his acts "Pierre Laffite" (see figures 1-3, pages 9-10) from the earliest in 1803, until 21 March 1811, when he began to sign "Per Laffite" (see figure 4, page 10), the form that persisted until the last noted appearance by this figure before a New Orleans notary on 14 December 1816 (see figure 5, page 11). His appearances were irregular but repeated—about ten per year in 1810 and 1811, when he was actively negotiating. He disappears from the records for up to two years at a time, only to resurface later.

¹⁵ P. Pedesclaux, N.P., 1 April 1806, NONA.

¹⁶ *Journal of Jean Laffite*, (1994 printing), 39.

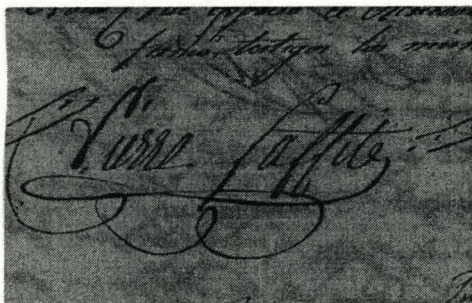


Figure 1

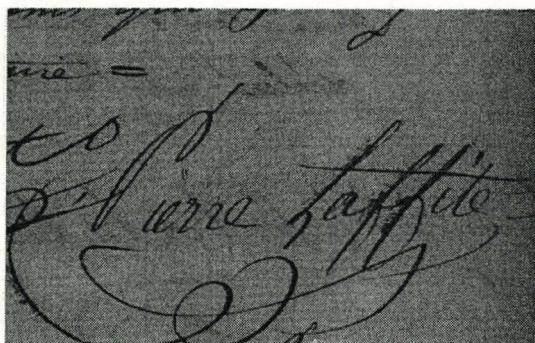


Figure 2

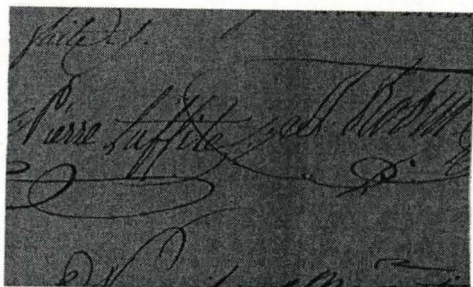


Figure 3

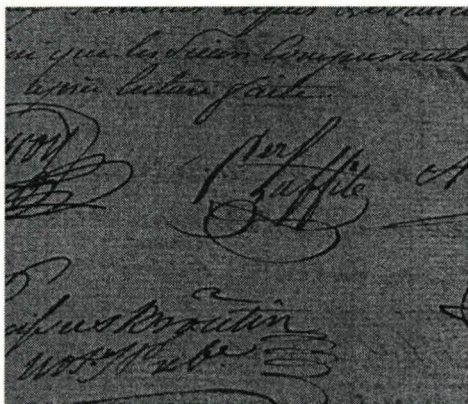


Figure 4

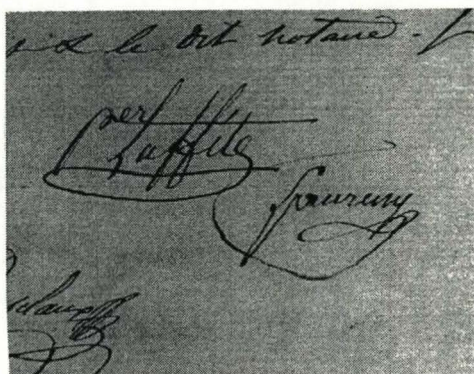


Figure 5

If Pierre Laffite's appearances before notaries were irregular but recurring, Jean Laffite's were extremely rare. He appeared once before notary Narcisse Broutin on 5 February 1813 to sell a slave named Louise, described as a *negresse* (black) and twenty-five years old. The buyer was a free woman of color named Jeanne Valoir Capucin. A Mr. Constant—perhaps the John Constant mentioned in the journal¹⁷—represented him in the act, but Jean Laffite appeared at the office anyway to sign the sale. The signature on this act is distorted by an ink smear—a rare occurrence on notarial documents—but still legible.¹⁸

¹⁷ Ibid., 43.

¹⁸ N. Broutin, N.P., 5 February 1813, NONA.

Jean Laffite appeared again before a notary in the spring of 1815, after the Battle of New Orleans and not long after President James Madison pardoned all the Baratarians because of their part in helping the United States put an end to the War of 1812. Madison's pardon on 6 February enabled Jean Laffite to walk the streets of New Orleans a free man, perhaps the first time in decades that he considered living honestly. On 24 April 1815 he walked into the office of notary John Lynd to settle a dispute with one Edward Grant over the purchase of the ship *Adventurer*. The notary, an Anglo, identified him as "John Lafitte, mariner," but he signed "Jn Laffite" (see figure 6, page 13), in a style that appears identical to the signatures in the manuscript of the journal.

Jean Laffite is not known to have appeared before a New Orleans notary again, although Pierre did, along with Dominique You, Francois Dupuis, Renato Beluche, and many others known to the privateering trade in the Gulf. One of Pierre's late acts was the purchase of the two-masted felucca *The Flying Fish* in December 1816, after which he signed a procuration to Jean Deveze to handle his affairs in New Orleans and disappeared for a time from the notarial records.¹⁹ This pattern is consistent with published histories of the Laffites, which report that they began to plan a new base at Galveston in 1816 and left New Orleans "for good" in 1817.²⁰ Recent research, however, has moved Pierre Laffite's last known appearance in New Orleans back to 28 December 1819, when he signed and dated a private act of sale of two slaves beginning with the words "*N.lle Orleans le*

¹⁹ P. Pedesclaux, N.P., 2 December 1816; 14 December 1816, NONA.

²⁰ Ramsay, *Jean Laffite*, 89-95.

28 decembre 1819.”²¹ The sale was to Baptiste Lafitte [sic], who the following year sold the slaves to Antoine Abat, a New Orleans merchant and recognized Laffite associate. Baptiste Lafitte had notary Philippe Pedesclaux attach the privately signed act to the 1820 sale.

Figure 6

Applying Diplomatics

Do the transactions described above represent authentic acts of the real Laffites and of other privateers? To answer this question, diplomatics requires an examination of a document's genesis, form, chain of custody, and dating system.²² *Genesis* refers to the process by which original documents are created, including the use of formularies. *Form* refers to such things as medium, layout, writing, language, and style. The *chain of custody* leads from the

²¹ The writer is grateful to William C. Davis, author of an upcoming biography of the Laffites, for uncovering many additional acts in the Notarial Archives collection.

²² Guyotjannin, "The Expansion of Diplomatics as a Discipline," 415.

original to the state of the document now used.²³ The *dating system* is more important in the study of medieval acts, but may be applied here too. While these are by no means all of the tools of diplomatics they are essential to its application.

Notarial acts generated in a civil law system pass easily under the scrutiny of these tools. The original documents in the New Orleans notarial system came into being through the rigorous formation of the notarial profession there and contain known formularies and known changeable parts. Each document is the original product of the notary's notes, drawn up and drafted by himself or his clerk, who also signs as a witness. Each act also has a well-known chain of custody, descending from the original notary to his successor in office to the Notarial Archives from 1867 to today. The form of the notary's signature at the end of the act is also well known—its distinctive nature indeed forms part of his original application for a notarial commission from the governor of the state. The presence of the dated act in paginated, bound form in its correct chronological position among thousands of other acts by a given notary, all formatted in the same way and using the same languages, clauses, ink, and paper stock, along with the volume's index, which cites the act by party name, act type, and page number, provides classic proof of the authenticity of the acts.

Are the acts those of the real Laffites? Could there not have been another merchant in the city named Laffite, selling slaves at that period? What about the change in Pierre Laffite's signature? What about the discrepancy between the conventional spelling "Lafitte"—one F and two Ts, used in New Orleans tourist literature and even by the southern Louisiana town Jean Lafitte—and the spelling "Laffite" as shown in these signatures and the journal, with *two* Fs and *one* T?

²³ Ibid., 416-17.

To answer these questions, diplomatics requires working backward from an act believed to be authentic, comparing its accidents to those of the others. There *were* other Lafittes—Stephen Lafitte, a merchant; Marc Lafitte, a notary; Emile Jean Lafitte, a court official—but these are not the subjects sought. They were known figures, engaged in known legitimate activities, having their own distinctive signatures, with the name spelled in the conventional way.²⁴ Jean Laffite's signature, with the two Fs and the one T, can be found on six to eight letters in the Parsons Collection at the University of Texas.²⁵ A credible Pierre Laffite signature also appears on a procuration (power of attorney) dated 18 July 1815 in the acts of John Lynd. In the procuration, a Pierre Laffite of New Orleans appointed a Jean Laffite, also of New Orleans, to be his true and lawful attorney to transact his affairs in the City of Washington, to draw up and sign his name to petitions and memorials to the president, Congress, ministers, and departments and to appear, contract, and demand for him before government officials there. This document is particularly relevant because it purportedly involves both Pierre and Jean in a credible activity at a credible time when veterans of the Battle of New Orleans and owners of plantations which became the battlefield were demanding reparations for losses sustained during the War of 1812. External evidence shows that the Laffites at this time were also seeking reimbursement for ships confiscated by Navy agents before the pardon and the [largely stolen]

²⁴ Acts of Marc Lafitte, notary, (1810–1826); acts of Michel de Armas, N.P., vols. 5A, 6 (1811), NONA.

²⁵ Edward A. Parsons Collection, Harry Ransom Humanities Research Center, University of Texas, Austin. The Laffite documents in this formerly private collection appear to have been removed from federal district court records, the major part of which are now housed at the National Archives, Ft. Worth Records Center, Texas.

gunpowder they had supplied to the American forces for the Battle of New Orleans.²⁶ The signature is identical to that of Per Laffite (see figure 7, page 16) found on the slave sales described above.²⁷

Examining the slave sales with the same signature reveals some interesting patterns in the name, in the act types, and in the slave profiles. Throughout this period, the notaries spelled the last name in the older way, with one F and two Ts, but in observing the signatures, one notes that the signer spelled his name with *two* Fs and *one* T. This is significant because it demonstrates that the signer deliberately chose a different spelling from the one the notary assumed was correct. The pirates—and the author of the journal—are the only ones in this area at this time known to have chosen this spelling.

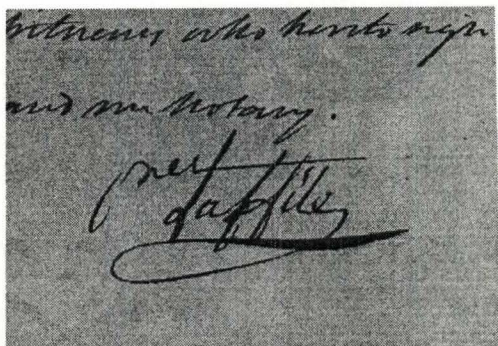


Figure 7

²⁶ Ramsay, *Jean Laffite*, 88.

²⁷ It was "Pedro" in 1803, just after the close of Louisiana's Spanish Colonial period, but soon changed to Pierre, a common occurrence with persons of this name at that time. In the early years—generally 1803 to early 1806—the appearer was simply "Pierre Laffite." In 1806 the signature changed to "Per Laffite." There is no other "Per Laffite" in the Archives in 1815, and no other Jean.

Second, the acts involving sales were always slave sales. Among fifty or more documents spread over thirteen years, there is not a single sale of real property, highly unusual for the collection and atypical to the normal pattern of resident activity reflected in notarial acts. Still, the notaries, by February 1806, were consistently describing the signer as a "resident of this city," who presumably had real property. By March 1810, this someone has a partner, André Robin, whom the notary identified as a "merchant of this city," and whom the journal mentioned.²⁸

Third, the slaves sold were always young—the majority twenty-two to twenty-four years of age—and sold for 400 to 600 *piastres* [dollars], always for cash, also atypical to the system. Most of them were *negre* (black), several from the Congo, a few Senagalese. They could not have come legally from those places in this period, suggesting some smuggling was involved in the sale.

Fourth, the notary had almost never seen the cash change hands—the pact was already confected, the money paid, and the slave in the hands of the buyer before the document was executed. One of the usual contractual safeguards of the notarial act was that the notary observed the money changing hands. This normally protected the buyer from future claims. Spanish procedure considered this so important that if the money did not change hands in front of the notary, the parties had to waive their rights to sue on this point later.²⁹

Finally—and this is the convincing, consistent anomaly—not one *bona fide* acquisition by the seller appears in the lot. Indeed, the parties found creative ways to cite

²⁸ Pierre Laffite's sales with André Robin may be found in the acts of Narcisse Broutin, March to June 1810, and January through March, 1811, NONA.

²⁹ This pleading was called the *non numerata pecunia*. See Sally K. Reeves, "Spanish Colonial Records of the New Orleans Notarial Archives," *Louisiana Library Association Bulletin* 55 (summer 1992): 8.

them. Most of the time, the seller had acquired the slave "by private signature." Frequently, Laffite simply affirmed that the slave was his. Sometimes he stated that he had acquired from a certain party "about 6 weeks ago"—still without citation. Only when he sold in partnership with André Robin was there as much as one citable title, and even when Robin participated in the sales, the parties simply affirmed ownership most of the time.

Observations about the timing of Laffite appearances before notaries may also be relevant. This Pierre Laffite first appeared in 1803, but then not again until 1806. He appeared six times in the winter-spring of 1806, and then disappeared again until 31 July 1809. Where was he? The journal has Pierre sick in the summers of 1805 and 1806 and has the Baratarians busy constructing storehouses in 1807 and 1808.³⁰ A flurry of sales occurred in the acts of Broutin and Pedesclaux in February 1810 and thereafter—coinciding with an entry in the Laffite journal stating that the Baratarians had constructed a storehouse for stock at Little Temple in February 1810, one of a series of storehouses mentioned about that time.³¹

Pierre reappeared before notary Broutin most reliably in 1810 and 1811, selling slaves with André Robin, and then selling by himself in 1812. Neither the person who signed the full "Pierre" nor he who signed "Per" made any appearance at all from 30 November 1812—two weeks after a well-reported incident when Pierre and Jean Laffite skipped bail after being arrested in New Orleans—until almost two years later, after the Battle of New Orleans. After Madison's pardon, they reappeared.

³⁰ Ibid., 38–39. The journal also claims that Jean was in New Orleans on Governor Claiborne's birthday in 1805—thus, 13 August. This should be a good time to look for acts in more notaries, perhaps.

³¹ *Journal of Jean Laffite*, 39.

To track the Laffites and other privateers throughout the period, one can also use the ship captain's protest. This is an abundant record type in the acts of certain notaries, for example John Lynd, whose volumes from 1808 to 1812 contain over two hundred such documents. The chief party to a sea protest was usually the master of a vessel, who brought along an officer and other crew members to confirm his story. Among other features, the protest identifies the vessel's name, type or "rig," port of departure, and cargo.

The heart of the act begins with a formulary: when the vessel departed from such-and-such a place, bound for this port, she was "tight and staunch, well manned and provisioned." The recital that follows is generally a harrowing tale of watery woes, of gales and groundings, lost equipment, cargo damage, even loss of vessels and lives. Toward the end of the act the notary, on behalf of the appearers, pens a solemn protest in their names against the winds and the waves, the obstructions and shoals of the oceans or river, or against another vessel for doing damage to the vessel or cargo. These "ought not to be imputed to any fault of himself or his company," the captain is said to declare. In this way he makes his case while his memory is clear, his witnesses are near, and the notary is available.

Sometimes the protest was leveled not against the winds and the waves but against pirates or privateers. One finds this type of protest most commonly in the Notarial Archives between 1810 and 1815, the heyday of Gulf privateering. In this period purportedly innocent mariners accused of illicit trading also lodged regular protests against U.S. Revenue agents for rough treatment and the confiscation of money, vessels, and goods. This type of act began to appear prominently after the Navy assigned Commodore David D. Porter sufficient strike forces to begin enforcing American customs laws in 1809.³²

³² For a brief discussion of Porter's initial operations, see Ramsay, *Jean Laffite*, 26.

It is not always easy to distinguish the innocent from the guilty in these acts. Porter's revenue officer Frazar of the cutter *Louisiana* seems to have truly mistreated the crew of the pilot boat *Two Brothers* near the Balize in 1812,³³ but the schooner *Milita's* protest is less credible. The master alleged that he had been getting his vessel repaired at Grande Terre in September 1814 when Commodore Daniel Patterson's squadron made a sweep there. He could not understand why U.S. agents stripped and searched him and took his money when he was just an innocent bystander who happened to have stored his sails and rigging in Mr. Lafitte's warehouse while he was repairing his rudder.³⁴ As disingenuous as this charge seems to be, it provides primary evidence from Grande Terre's point of view about Patterson's sweep—which has been known heretofore only from Patterson's reports.

Some protesters were admitted privateers who were brazen enough to complain before notaries that foreign governments had imprisoned their personnel when they stopped for provisions. Other mariners leveled complaints against foreign governments over the impressment of seamen. This happened frequently in the years preceding the War of 1812 and was one of Congress's motives for declaring war, although impressments obviously went both ways.

After the U.S. declared war on Britain in June 1812, Congress authorized its own letters of marque to private armed schooners so they would prey on British shipping. This led to the capture of the British ship *Jane* by the armed schooner *Spy of New Orleans* in 1813. After Laffite ally Renato Beluche impressed the *Jane's* seamen, the British captain made his protest in the acts of Lynd on 6 January 1813. In the journal, Laffite identifies Beluche as his uncle. This document thus places some of Laffite's closest allies

³³ J. Lynd, N.P., 2 May 1812, NONA.

³⁴ J. Lynd, N.P., 29 September 1814, NONA.

two months after Pierre Laffite's last known appearance in local notarial acts before the January 1815 Battle of New Orleans.

In summary, the New Orleans Notarial Archives holds a significant number of early nineteenth-century acts that both notarial authority and internal evidence relate to Jean Laffite and his associates. Ironically, the flaws in the acts—their deviation from norms—associate them even more strongly with the subjects. More research among period slave sales, procurations, and protests should uncover even more evidence about these figures. It should also provide new information about Gulf privateering and the War of 1812, about Laffite's role in the slave trade, and about his career after the War of 1812 when he was planning his new base in Galveston. Other acts could provide evidence about what happened to the individual slaves smuggled into this country, and about what the population's attitude toward smuggling says about its character.

For many students of Laffite, however, the most important insight to be gained from this body of evidence is how well the primary evidence in notarial acts dovetails with details in the controversial journal of Jean Laffite. Another major test should be researching the activities of the intriguing list of 250 or more Laffite associates and vessels named in the journal. Considering the vast, universal coverage of the Notarial Archives, this would be a feasible if time-consuming assignment. The preliminary answer is that no act found to date, with a single, easily explained exception, contradicts the journal representations. On the contrary, notarial acts dovetail with journal facts rather nicely.

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